

REMARKS

Claims 1-2, 6-9, 12-16 and 18-25 remain within the present application. Claim 12 is amended herein. Applicants respectfully request examination and allowance of Claims 1-2, 6-9, 12-16, 18-25 in view of the above amendment and the arguments set forth below.

Claim objections

Paragraphs 3 and 4 of the above referenced Office Action states that Claim 12 is objected to as being an improper dependent claim. Applicants have herein amended Claim 12 to overcome the stated objection.

Claim rejections 35 U.S.C. § 103(b)

Claims 1-2, 6-9, 12-16, 18-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jia et al., U.S. Patent No. 5,726,896 (hereinafter Jia) in view of Gharachorloo et al., U.S. Patent No. 5,488,684 (hereinafter Gharachorloo) and in further view of Luken, Jr. U.S. Patent No. 5,278,948 (hereinafter Luken) and Schulmeiss, U.S. Patent No. 5,717,847 (hereinafter Schulmeiss). Applicants respectfully submit that the present invention is not rendered unpatentable within the meaning of 35 U.S.C. § 103(a) by the Jia, Gharachorloo, Luken, and Schulmeiss references.

With respect to Jia, Applicants do not understand Jia to disclose or teach the rendering of a NURBS defined surface, as recited in the claimed invention. Applicants respectfully assert that this is due to the fact that Jia is

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directed towards the control of numerically controlled machines, as opposed to the rendering of curves or surfaces.

Additionally, Applicants do not understand Figure 5 of Jia, or the description thereof, to describe a method for rendering a NURBS defined curve or surface without first converting the NURBS defined curve or surface to a polygon mesh, as asserted in paragraph 5 of the above referenced Office Action. Column 8, lines 4-16 of Jia explicitly describe Figure 5 as showing “the same cubic curve shown in FIG. 2, described instead by its equivalent Bezier control polygons. “

With respect to Luken, Applicants do not understand the cited sections of Luken (Col. 4: lines 40-54; Col. 15: lines 32-45) to inherently teach generating a plurality of Bezier control points from a corresponding plurality of NURBS control points using a tri-linear interpolator in the graphics pipeline by using the plurality of NURBS control points as inputs to the tri-linear interpolator, and evaluating the NURBS control points to obtain each of the plurality of Bezier control points, as recited in the claimed invention.

With respect to the combination of references (e.g., Jia, Gharachorloo, Luken, and Schulmiess) to obtain the present 35 U.S.C. Section 103 rejections, Applicant respectfully submits that the Section 103 rejections of the above referenced Office Action are based on impermissible use of hindsight in view of the invention as claimed and the obviousness rejection is not based in prior art. Applicant finds no passage within the cited references which suggest or teach

the claimed invention. Applicant respectfully asserts that such rejection is legally improper. Rockwell International Corp. v. United States, 147 F.3d 1358 (Fed. Cir. 1998). It is error to reconstruct the patentee's claimed invention from the prior art using the patentee's claim as a "blueprint." Interconnect Planning Corp. v. Feil, 774 F.2d 1132 (Fed. Cir. 1985).

CONCLUSION

In summary, for the reasons discussed above, Applicants respectfully submit that the claims are in condition for allowance, and such action is earnestly solicited by Applicants.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

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